

HOUSE BILL 227

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

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AN ACT

RELATING TO EXECUTIVE REORGANIZATION; AMENDING A SECTION OF THE
NMSA 1978 TO MOVE BRAIN INJURY ADVISORY COUNCIL FUNCTIONS FROM
THE DEVELOPMENTAL DISABILITIES PLANNING COUNCIL TO THE
GOVERNOR'S COMMISSION ON DISABILITY; ENACTING A TEMPORARY
SECTION TO PROVIDE FOR THE TRANSFER OF BRAIN INJURY ADVISORY
COUNCIL PERSONNEL, PROPERTY, CONTRACTS, PROGRAMS AND REFERENCES
IN LAW TO THE GOVERNOR'S COMMISSION ON DISABILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 24-20-3 NMSA 1978 (being Laws 1995,
Chapter 189, Section 1) is amended to read:

"24-20-3. BRAIN INJURY ADVISORY COUNCIL--CREATED--POWERS
AND DUTIES.--

A. The "brain injury advisory council" is created
to advise the [~~developmental disabilities planning council~~]

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1 governor's commission on disability, the governor, the
2 legislature and other state agencies.

3 B. The brain injury advisory council shall consist
4 of no fewer than eighteen and no more than twenty-four members
5 appointed by the governor and shall include survivors of brain
6 injuries; family members of persons with brain injuries; and
7 health care professionals and other representatives of private
8 sector organizations and state agencies that provide services
9 and support to persons with brain injuries.

10 C. Members shall be appointed for staggered terms
11 of three years, so that the terms of one-third of the members
12 shall expire in a given year.

13 D. Members shall elect annually a [~~chairman~~] chair
14 and vice [~~chairman~~] chair. Staff and other administrative
15 support shall be provided by the [~~developmental disabilities~~
16 ~~planning council~~] governor's commission on disability or other
17 state agency as assigned by the governor. Members shall meet
18 at the call of the [~~chairman~~] chair.

19 E. Members who are not state employees may receive
20 per diem and travel expenses as provided in the Per Diem and
21 Mileage Act for state employees. Reasonable accommodations
22 shall be made available to permit full participation in council
23 activities by its members, including personal assistance to
24 members who are survivors of brain injuries and respite care
25 for members who are family members of persons with brain

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1 injuries.

2 F. The brain injury advisory council shall:

3 (1) study and make recommendations to the
4 ~~[developmental disabilities planning council]~~ governor's
5 commission on disability, the governor, the legislature and
6 other state agencies concerning case management, community
7 support systems, long-term care, employment, emergency medical
8 services, rehabilitation and prevention and the improvement and
9 coordination of state activities relative to the concerns of
10 persons with brain injuries and their families or other
11 caregivers; and

12 (2) advise appropriate state agencies and
13 private organizations on the development of services and
14 supports that meet the needs of persons with brain injuries."

15 SECTION 2. TEMPORARY PROVISION--BRAIN INJURY ADVISORY
16 COUNCIL--GOVERNOR'S COMMISSION ON DISABILITY--TRANSFER OF
17 PERSONNEL, PROPERTY AND CONTRACTS--PROGRAMS--REFERENCES IN
18 LAW.--On July 1, 2013:

19 A. all personnel, appropriations, money, records,
20 equipment, supplies and other personal property of the brain
21 injury advisory council shall be transferred to the governor's
22 commission on disability;

23 B. all contracts currently binding and effective
24 upon the brain injury advisory council at the developmental
25 disabilities planning council shall be binding and effective

underscoring material = new
~~[bracketed material] = delete~~

1 upon the brain injury advisory council at the governor's
2 commission on disability; and

3 C. all programs and all references in law to the
4 brain injury advisory council shall be construed as referring
5 to the governor's commission on disability.

6 SECTION 3. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is July 1, 2013.